

**DECLARATION OF FTC INVESTIGATOR
BRENT D. MCPEEK
PURSUANT TO 28 U.S.C. § 1746**

Pursuant to 28 U.S.C. § 1746, Brent D. McPeck declares that:

1. My name is Brent D. McPeck. I am over the age of 21 and competent to give this declaration. I am a Federal Trade Investigator with the Federal Trade Commission (Commission). I have a Bachelor of Science degree in agricultural economics with a minor in finance, as well as a Master of Science degree in applied economics. I have more than ten years' experience as an investigator and litigation consultant. My business address is Federal Trade Commission, Southwest Region, 1999 Bryan Street, Suite 2150, Dallas, Texas 75201.

2. My duties, as a Federal Trade Investigator, include monitoring and investigating parties suspected of engaging in unfair or deceptive acts or practices in violation of the Federal Trade Commission Act and other laws and rules enforced by the Commission. I also assist in related litigation.

3. I assisted in the Commission's investigation of YOUR YELLOW BOOK INC ("Your Yellow Book" or "Corporate Defendant") and related individuals Brandie Law, Robert Law, and Dustin Law ("Individual Defendants"). I will refer to the Individual Defendants and the Corporate Defendant collectively as "Defendants."

4. During the Commission's non-public investigation, I acquired personal knowledge of the facts stated here, and, if called, would testify to the same. My conclusions are based on my investigation, including my review of documents obtained by the Commission, consumer complaints about Defendants' business practices, and websites operated by Defendants. Personally Identifying Information ("PII") has been redacted from all documents referenced in this declaration.

Secretary of State Records

5. During this investigation, I searched the Oklahoma Secretary of State website for records related to the Corporate Defendant. I downloaded and saved a copy of the corporate summary information sheet provided by the Oklahoma Secretary of State. A true and correct copy of this document is attached as Ex. 2, App. at 16.

6. According to the summary information sheet, Your Yellow Book Inc was formed as a “Domestic For Profit Business Corporation” in Oklahoma on April 14, 2011. *Id.* The summary information sheet also identifies Robert Ray Law as registered agent effective July 29, 2011, at 10600 South Penn Avenue, Suite 16, Oklahoma City, Oklahoma 73170. *Id.*

Tax Assessor Records

7. During this investigation, I searched the Logan County, Oklahoma, Tax Assessor website for records related to Brandie Law. I downloaded and saved a copy of the Property Information record and Residential Sales Information record for the real property located at 1304 W. Cleveland, Guthrie, Oklahoma 73044. True and correct copies of these documents are attached as Ex. 3, App. at 17 – 20. According to the records, Brandie Law owned this single-family residential property between February 2009 and July 2012. *Id.*, App. at 18.

8. During this investigation, I obtained records from Oklahoma County, Oklahoma, Tax Assessor website related to 1014 Straka Terrace, Oklahoma City, Oklahoma.¹ True and correct copies of these records are attached as Ex. 4, App. at 21 – 22. According to these records, 1012 and 1014 Straka Terrace, Oklahoma City, Oklahoma are a single-structure residential duplex. *Id.*

¹ 1014 Straka Terrace, Oklahoma City, Oklahoma, will be shown to be used by Robert Law later in this declaration. *See, e.g.*, Ex. 7, App. at 80.

Consumer Sentinel

9. Consumer Sentinel Network (“CSN”) is a secure online database of more than 9 million unverified consumer complaints that are submitted by state, federal and international law enforcement agencies and nongovernmental organizations and is available only to law enforcement. According to the Consumer Sentinel Network Data Book for January – December 2013, CSN received nearly 14,000 complaints from consumers about fraudulent advertising and business directory listings. Ex. 5, App. at 23.²

10. During this investigation, I searched the CSN database for complaints related to Your Yellow Book. Using the search phrase “your yellow book,” I determined that there are 110 Fraud Complaints and 103 Do-Not-Call Complaints filed by consumers as recently as July 17, 2014, against Corporate Defendant.

U.S. Postal Inspection Service

11. During this investigation, I spoke with U.S. Postal Inspector Ryan D. Brakhage about Defendants. He informed me that Your Yellow Book has twice been the subject of Cease and Desist Orders as the result of Administrative action by the U.S. Postal Inspection Service. U.S. Postal Inspector Brakhage provided copies of these Cease and Desist Orders as well as a similar Cease and Desist Order related to Your Computer Pros Inc.³ True and correct copies of these documents are attached as Ex. 6, App. at 24 – 77. The cease and desist orders showed the following:

a. On May 10, 2011, Brandie Michelle Law, individually and on behalf of Your Yellow Book Inc, signed an Agreement Containing Consent Order to Cease and Desist

² The complete report can be found at:
<http://www.ftc.gov/system/files/documents/reports/consumer-sentinel-network-data-book-january-december-2013/sentinel-cy2013.pdf>

³ Your Computer Pros Inc is a separate business operated by Defendants. This Cease and Desist Order covered conduct similar to that covered by the Your Yellow Book Orders.

from falsely representing that Your Yellow Book has had a prior business relationship with businesses it sends invoices, that businesses have agreed to accept the listings, that businesses have agreed to pay the amount listed on the invoices, and that the amount listed on the solicitations is owed to Your Yellow Book. *Id.*, App. at 24 – 41.

b. On February 8, 2012, Robert Ray Law, individually and on behalf of Your Yellow Book Inc, signed an Agreement Containing Consent Order to Cease and Desist from falsely representing that Your Yellow Book has had a prior business relationship with businesses it sends invoices, that businesses have agreed to accept the listings, that businesses have agreed to pay the amount listed on the invoices, and that the amount listed on the solicitations is owed to Your Yellow Book. *Id.*, App. at 42 – 59.

12. The FTC also requested and received from U.S. Postal Inspectors copies of several PS Form 1093 Applications for Post Office Box Service. I attached true and correct copies of these documents as Ex. 7, App. at 78 - 80. These documents showed:

a. That Ryan N. Jordan, on behalf of Your Yellow Book, applied for P.O. Box number 892335 on March 31, 2011, and 1304 W. Cleveland, Guthrie, OK 73044 was identified as the contact address and (405) 293-6430 as the contact telephone number. *Id.*, App. at 78.

b. Robert R. Law, on behalf of Your Yellow Book, applied for P.O. Box number 891475 on February 4, 2012, and 1014 Straka Ter, Oklahoma City, OK 79139 was identified as the contact address and (405) 833-9857 as the contact telephone number. *Id.*, App. at 79. This box was closed on February 11, 2013. *Id.*

c. Robert R. Law, on behalf of Your Yellow Book, applied for P.O. Box number 95343 on June 14, 2012, and 1014 Straka Ter, Oklahoma City, OK 79139 was identified as the contact address and (405) 833-9857 as the contact telephone number. *Id.*, App. at 80.

Defendants' Website – www.youryellowbook.com

13. During this investigation, I viewed Your Yellow Book's website located at www.youryellowbook.com. I attempted to create an "offline" copy of the entire website, or save a copy of the entire website as a PDF; however the entire website is too large and exceeded the capabilities of any tools available to me. I printed portions of the website, as well as several Google and Bing website search results. True and correct copies of these documents are attached as Ex. 8, App. 81 – 135. The following paragraphs describe my experience using the website and provide context to the Google and Bing search results.

14. The front page of www.youryellowbook.com has a section of links to categories of "Famous Quotes," and the business listings are organized alphabetically according to very specific categories. *Id.*, App. at 81 – 83. The website does not provide a method of searching the listings by business name; instead, users have the option to type in a category, along with a city and state. *Id.*, App. at 81. There are a large number of search categories on the Your Yellow Book website. For example, the "Advertising" categories begin on the front page of the website listing 27 specific "Advertising" related categories. *Id.*, App. at 82 – 83. I typed "bank" in the Category search box and found that there are eight categories that start with the word bank. *Id.*, App. at 83.1. Similarly, I typed "pharma" in the Category search box and found that there are 11 categories that start with the term pharma. *Id.*, App. at 83.2.

15. For demonstration purposes, I located two specific business on the website: Consumer's Pharmacy, located in Wichita, Kansas; and Falls Catholic Credit Union, located in

Akron, Ohio. I printed the Categories for “Pharmacies” in Wichita, KS, and “Credit Unions” in Akron, OH. *Id.*, App. at 84 – 92. Both businesses are listed at the beginning of their respective categories, in their respective cities.

16. I tried to determine if the business listings on Your Yellow Book’s website were included in business name search results in the Google and Bing search engines. I entered “consumer’s pharmacy” in the Google search engine at www.google.com. I printed the first four pages of search results. Consumer’s Pharmacy’s listing on Your Yellow Book’s website was not included in the first four pages of search results. *Id.*, App. at 93 – 100. I conducted the same search using the Bing search engine at www.bing.com. Consumer’s Pharmacy’s listing on Your Yellow Book’s website was not included in the first four pages of search results from the Bing search engine. *Id.*, App. at 101 – 107.

17. I conducted a search for “falls catholic credit union” using the Google search engine and printed the first four pages of results. *Id.*, App. at 108 – 115. I conducted the same search using the Bing search engine and printed the first four pages of results. *Id.*, App. at 116 – 123. Falls Catholic Credit Union’s listing on Your Yellow Book’s website was not included in the first four pages of search results from either the Google or Bing searches.

18. I attempted to replicate a consumer’s experience attempting to use Your Yellow Book’s website to locate Consumer’s Pharmacy in Wichita, Kansas. I conducted a video capture of this experience and printed pages of the website to document the results. I entered “pharmacy” in the Category box, and “Wichita” and “KS” in the City and State boxes, respectively. The category results included only one category: “Pharmacy and Medical Supply.” *Id.*, App. at 124 – 127. I clicked on the “Pharmacy and Medical Supply” category link and the resulting web page stated “No Records To Display Please Try Another Category.” *Id.*, App. at

128 – 131. I returned to the Category search box and entered “pharmacies” while leaving the City and State boxes the same as the first search. The category results included only one category: “Pharmacies.” *Id.*, App. at 132 – 135. I clicked on the “Pharmacies” category link and the resulting web page displayed the pharmacies listed 18 pharmacies, including Consumer’s Pharmacy. *Id.*, App. at 84 – 88.

CIVIL INVESTIGATIVE DEMANDS

19. During this investigation, the Commission sent Civil Investigative Demands (CIDs) to a number of third-party companies that provided services to the Defendants, including JP Morgan Chase Bank, N.A. (Chase), Cox Communications, Inc. (Cox), Vonage Holdings Corporation (Vonage), and GoDaddy.com, LLC (GoDaddy). Each of these companies provided responsive documents to the FTC.

JPMorgan Chase Bank, N.A.

20. The CID response from Chase includes depository account application forms, signature cards, and monthly account statements for business accounts held in the name of the Corporate Defendant. The CID response also includes limited account holder information for accounts held in the name of the Individual Defendants. Because the entire contents of the Chase business records are voluminous and cannot be conveniently examined in Court, I attached true and correct copies of a limited number of these documents, as well as the Business Records Certification executed by a representative of Chase, as Ex. 9, App. at 136 - 165. Additionally, I summarized information contained in the monthly account statements for several business accounts controlled by Defendants.

21. Chase provided information concerning three depository accounts owned by Your Yellow Book. The records concerning these three accounts showed the following:

a. On April 14, 2011, Brandie Law opened a Chase Business Select Checking account in the name of Your Yellow Book Inc with account number ending 2423. *Id.*, App. at 138. Brandie Law was identified as the President of Your Yellow Book on the account application (*Id.*) and the signature card (*Id.*, App. at 139). On April 19, 2011, Brandie Law was removed as a signer from the account. *Id.*, App. at 141. Also on April 19, 2011, Dustin R. Law was added as a signer to the account, and was identified as President of Your Yellow Book on the signature card. *Id.*, App. at 142 – 143.

b. On April 14, 2011, Brandie Law opened a Chase Business Savings account in the name of Your Yellow Book Inc with account number ending 0292. *Id.*, App. at 144. Brandie Law was identified as the President of Your Yellow Book on the account application (*Id.*) and the signature card (*Id.*, App. at 145). On April 19, 2011, Brandie Law was removed as a signer from the account. *Id.*, App. at 147. Also on April 19, 2011, Dustin R. Law was added as a signer to the account, and was identified as President of Your Yellow Book on the signature card. *Id.*, App. at 148.

c. On June 30, 2011, Dustin R. Law opened a Chase Business Plus Extra account in the name of Your Yellow Book Inc with account number ending 2689. *Id.*, App. at 149. Dustin Law was identified as President of Your Yellow Book on the account application (*Id.*) and the signature card (*Id.*, App. at 150). On May 1, 2012, Robert Law was added to the account as a signer and was identified as Secretary of Your Yellow Book. *Id.*, App. at 151.

22. Between April 14, 2011, and April 30, 2012, Defendants deposited checks worth \$148,622.10 from consumers into Your Yellow Book account ending 2423. Between June 30, 2011, and March 31, 2014, Defendants deposited checks worth \$400,671.89 from consumers and transactions worth \$51,021.31 from PayPal functioning as a payment processor, into Your

Yellow Book account ending 2689. Including deposits from PayPal, Your Yellow Book received \$600,315.30 in payments from consumers between April 14, 2011, and March 31, 2014.

23. Chase provided information concerning three depository accounts owned by Pro RDB Inc. The records produced concerning these 3 accounts showed the following:

a. On April 28, 2010, Brandie Law opened a Chase Business Classic account in the name of Pro RDB Inc with account number ending 5579. *Id.*, App. at 152. Brandie Law was identified as President of Pro RDB Inc on the account application (*Id.*) and signature card (*Id.*, App. at 153). On April 19, 2011, Brandie Law was removed as a signer from the account. *Id.*, App. at 156. Also on April 19, 2011, Dustin Law as added as a signer to the account, and was identified as President of Pro RDB Inc on the signature card. *Id.*, App. at 155. On June 4, 2011, Robert Law was added as a signer to the account, and was identified as Manager of Pro RDB Inc on the signature card. *Id.*, App. at 157.

b. On April 28, 2010, Brandie Law opened a Chase Business Select High Yield Savings account in the name of Pro RDB Inc with account number ending 3512. *Id.*, App. at 158. Brandie Law was identified as President of Pro RDB Inc on the account application (*Id.*) and signature card (*Id.*, App. at 159). On June 4, 2011, Robert Law was added as a signer to the account, and was identified as Manager of Pro RDB Inc on the signature card. *Id.*, App. at 161.

c. On April 12, 2012, Dustin Law opened a Chase Business Select Checking account in the name of Pro RDB Inc with account number ending 5539. *Id.*, App. at 162. Dustin Law was identified as President of Pro RDB Inc on the account application (*Id.*) and signature card (*Id.*, App. at 163). On April 12, 2012, Robert Law was added as a signer to the account, and was identified as Secretary of Pro RDB Inc on the signature card. *Id.*, App. at 165.

24. Between April 14, 2011, and March 31, 2014, I determined that the Individual Defendants withdrew funds either directly from the Your Yellow Book accounts, or transferred funds to one of the Pro RDB Inc accounts controlled by Defendants, where they were subsequently withdrawn by Individual defendants, in the form of cash or wire transfers, or used to purchase goods or other services, with debit cards linked to the Pro RDB Inc accounts. The following table summarizes source and distribution of funds by Individual Defendants:

Funds Distributed to Individual Defendants					
Individual	Source of Funds			Distribution of Funds	
	Your Yellow Book	Pro RDB Inc - Cash or Equivalent	Pro RDB Inc - Card Purchases	Total Cash Distributions	Total Cash AND Purchases
Brandie Law	\$7,250.00	\$24,285.35	\$5,699.79	\$31,535.35	\$37,235.14
Robert Law	\$ -	\$90,597.90	\$13,367.63	\$90,597.90	\$103,965.53
Dustin Law	\$115,458.50	\$169,960.30	\$72,974.76	\$285,418.80	\$358,393.56
TOTAL ==>				\$407,552.05	\$499,594.23

Cox Communications, Inc.

25. The CID response from Cox includes subscriber information for several phone numbers, including (405) 296-6430. Because the entire contents of the Cox CID response contain PII, including PII associated with parties unrelated to the underlying investigation, I attached true and correct copies of a limited number of these documents, as well as the Business Records Certification executed by a representative Cox, as Ex. 10, App. at 166 – 168. The Cox records show that service for the phone number (405) 296-6430, with Brandie Law as the

subscriber on the account, was provided to a residential address at 1304 W. Cleveland Ave., Guthrie, Oklahoma 73044. *Id.*, App. at 168.⁴

Vonage Holdings Corporation

26. The CID response from Vonage includes a cover letter from a representative of Vonage and an electronic spreadsheet file with subscriber and account information for several phone numbers, including (405) 227-9534. I attached true and correct copies of the cover letter and the printed contents of the electronic spreadsheet, as well as the Business Records Certification executed by a representative of Vonage, as Ex. 11, App. at 169 - 176. The Vonage records show that Dustin Law was the subscriber for the phone number (405) 227-9534 beginning October 17, 2011, and the stated end date for the account is August 2, 2053. *Id.*, App. at 171.

GoDaddy.com, LLC

27. The CID response from GoDaddy contained account information, including communications and payment information, for domain registrations and web hosting accounts for several domains and accounts related to Defendants. Because the entire contents of the GoDaddy business records are voluminous and cannot be conveniently examined in Court, I attached true and correct copies of a limited number of these documents, as well as the Business Records Certification executed by a representative GoDaddy, as Ex. 12, App. at 177 – 184.

28. The GoDaddy records show that Dustin Law is listed as the Registrant Contact, Administrative Contact, Technical Contact, and Billing Contact for the domain registration for the website YOURYELLOWBOOK.COM. *Id.*, App. at 179. The records also show that Dustin

⁴ This property was previously identified by tax assessor records to belong to Brandie Law. *See* Paragraph 7.

Law and Brandie Law have both paid the web-hosting and domain registration costs (*Id.*, App. at 180 – 184) associated with YOURYELLOWBOOK.COM.

I declare, under penalty of perjury, that the foregoing statement is true and correct.

Executed on July 22, 2014, at Dallas, Texas.


BRENT D. MCPEEK

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